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## Testimony on Human Trafficking Bill, Rhode Island Senate Judiciary Committee

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## **Testimony on S 0605**

### **An Act Relating to Criminal Offenses—Trafficking of Persons and Involuntary Servitude**

#### **Rhode Island Senate Judiciary Committee**

**Donna M. Hughes, Professor & Carlson Endowed Chair, University of Rhode Island**

**June 11, 2009**

In 2007, the Rhode Island General Assembly passed an anti-human trafficking law. To date, there have been no prosecutions.

There are three serious problems with the present Rhode Island law that need to be remedied in order to effectively combat human trafficking.

- 1) Criminalize the sex trafficking of a minor without proof of force, fraud or coercion. The use of an underage child for a commercial sex act is comparable to the aggravated sexual abuse of a child. A child cannot consent to sex with an adult and a child cannot consent to a commercial sex act or prostitution. The law should not require proof of force, fraud or coercion when a child is recruited into prostitution and used for commercial sex acts. The simple pimping or trafficking of a child is a felony in all other U.S. states that have anti-trafficking laws and is the universal standard around the world. S 0605 fixes this problem.
- 2) Criminalize and penalize forced labor. Under present law, involuntary servitude (11-67-2) only includes forced labor for commercial sex acts.  
Slavery is one of the most serious human rights violations and crimes against a person. It is universally condemned and every state and federal anti-trafficking law includes strong penalties against forced labor.

To include forced labor in the Rhode Island criminal code, make the following changes:

Change:

11-67-2. Involuntary servitude.—(a) Whoever knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to forced labor in order to commit a commercial sexual activity either by:

To:

11-67-2. Involuntary servitude.—(a ) Whoever knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to forced labor or a commercial sexual act either by:

Include penalties for forced labor that are comparable to the sex trafficking of an adult. And add enhanced penalties for the forced labor /involuntary servitude of a minor.

- 3) Pass a prostitution law reform bill that criminalizes the buying and selling of sex and exempts victims of sex trafficking from being prosecuted for acts committed while under the control of another person (H 5044A). To be effective, the sex trafficking laws need to be supported by a prostitution law. Decriminalized prostitution is hampering the prosecution of pimps and sex traffickers. Rhode Island needs better anti-human trafficking law, but it is essential to support it with a prostitution law as well.